

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS BEALE,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 2:20-cv-05137-JMG
	:	
MARIROSA LAMAS, Superintendent,	:	
SCI-Chester, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 21st day of May, 2024, after considering (1) the Motion for Summary Judgment filed by Defendant Dr. Paul G. Little (ECF No. 154), (2) the Motion for Summary Judgment filed by Defendants Kenneth Eason, Mark Wahl, G. Arais, Patricia Connor-Council, Neko Bourne, Jaclyn Neally, Shirley Laws-Smith, Alicia Ross, Robert Goode-Williams, Tyrus Winstead, R. Lyons, Jeanine Lees, Tyler J. Karasinski, Saleema Parker, J. Norris, and Paige DeVane (collectively, the “SCI-Chester Defendants”) and separately filed supporting Memorandum of Law (ECF Nos. 156, 157), (3) the response in opposition to the SCI-Chester Defendants’ Motion filed by *pro se* Plaintiff Thomas Beale (ECF No. 179), and Plaintiff’s verified Amended Complaint and separately docketed exhibits (ECF Nos. 54, 55); and for the reasons set forth in the separately filed Memorandum Opinion, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Dr. Little’s Motion for Summary Judgment (ECF No. 154) is **GRANTED**. Summary Judgment is **ENTERED** in favor of Dr. Little and against Plaintiff Thomas Beale on all claims asserted against Dr. Little in the Amended Complaint:

2. The SCI-Chester Defendants' Motion for Summary Judgment (ECF No. 156) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- a. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's Eighth Amendment claim relating to exposure to tobacco smoke in Count I of the Amended Complaint, is **GRANTED** as to Defendants Paige DeVane, Tyler J. Karasinski, Tyrus Winstead, and Robert Goode-Williams. Judgment is **ENTERED** in favor of Defendants Paige DeVane, Tyler J. Karasinski, Tyrus Winstead, and Robert Goode-Williams and against Plaintiff Thomas Beale on Count I of the Amended Complaint;
- b. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's Eighth Amendment claim relating to exposure to tobacco smoke in Count I of the Amended Complaint, is **DENIED** as to Defendants Saleema Parker and R. Lyons;
- c. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's Eighth Amendment claim relating to cold temperatures in Count II of the Amended Complaint, is **GRANTED** as to Defendants Kenneth Eason, Jeanine Lees, and Patricia Connor Council. Judgment is **ENTERED** in favor of Defendants Kenneth Eason, Jeanine Lees, and Patricia Connor Council and against Plaintiff Thomas Beale on Count II of the Amended Complaint;
- d. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's First Amendment retaliation claim in Count V of the Amended Complaint, is **GRANTED** as to Defendants Kenneth Eason, Jaclyn Neally, J. Norris, and Alicia Ross. Judgment is **ENTERED** in favor of Defendants Kenneth Eason,

Jaclyn Neally, J. Norris, and Alicia Ross and against Plaintiff Thomas Beale on Count V of the Amended Complaint;

e. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's First Amendment retaliation claim in Count V of the Amended Complaint, is **DENIED** as to Defendants Mark Wahl, G. Arais, and Neko Bourne;

f. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on Plaintiff's equal protection claim in the Amended Complaint, is **GRANTED** as to Defendants Kenneth Eason, Mark Wahl, and Jaclyn Neally. Judgment is **ENTERED** in favor of Defendants Kenneth Eason, Mark Wahl, and Jaclyn Neally and against Plaintiff Thomas Beale on the equal protection claim in the Amended Complaint; and

g. The Motion, insofar as the SCI-Chester Defendants seek to have the Court enter summary judgment on any claims asserted against Defendant Shirley Laws-Smith in the Amended Complaint, is **GRANTED**. Judgment is **ENTERED** in favor of Defendant Shirley Laws-Smith and against Plaintiff Thomas Beale on any claims asserted against Defendant Shirley Laws-Smith in the Amended Complaint; and

3. The Court will schedule a telephone conference to discuss a schedule moving forward in this matter by separate notice.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge